

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

SAFETREE CONSULTING
and DAMON CHARLES WILLIAMS,

Petitioners,

v.

No. 1:21-cv-00317-KWR-JFR

MATTHEW PATRICK ADAMS,

Respondent.


ORDER OF DISMISSAL

THIS MATTER is before the Court following Petitioner's failure to prosecute this action. Pursuant to the Order to Cure Deficiency (**Doc. 4**) entered on **April 9, 2021**, Petitioner was ordered to prepay the \$402.00 filing fee, or alternatively, file a motion to proceed *in forma pauperis* within thirty (30) days of the entry the Court's order.

Petitioner failed to prepay the \$402.00 filing fee, or alternatively, file a motion to proceed *in forma pauperis* within the thirty (30) days as directed by the Court. The Court will therefore dismiss this action without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute and comply with Orders. *See Olsen v. Mapes*, 333 F.3d 1199, 1204 n. 3 (10th Cir. 2003) ("Rule 41(b) ... has long been interpreted to permit courts to dismiss actions *sua sponte* for a plaintiff's failure to prosecute or comply with the ... court's orders.").

IT IS THEREFORE ORDERED that Petitioner's Motion to Confirm Arbitration Award (**Doc. 1**) is **DISMISSED WITHOUT PREJUDICE** and the Court will enter a separate judgment **CLOSING THIS CASE.**

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE